IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.K.DENESAN

FRIDAY, THE 2ND MARCH 2007 / 11TH PHALGUNA 1928

WP(C).No. 2566 of 2007(E)

PETITIONER:
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1. C.ANILKUMAR, MECHANICAL ASSISTANT,
   OIL PALM INDIA LTD., EROOR, KOLLAM.

2. M.B.THAMBI, MECHANICAL ASSISTANT,
   OIL PALM INDIA LTD., EROOR, KOLLAM.

3. W.SATHYAKUMAR, MECHANICAL ASSISTANT,
   OIL PALM INDIA LTD., EROOR, KOLLAM.

BY ADV. SRI.P.SANTHOSH KUMAR (PANAMPALLI NAGAR)

RESPONDENTS:
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1. OIL PALM INDIA LTD., REPRESENTED BY THE
   MANAGING DIRECTOR, P.B.NO.1715, OLD STAR THEATRE
   ROAD, KOTTAYAM SOUTH P.O.

2. THE MANAGING DIRECTOR,
   OIL PALM INDIA LTD., P.B.NO.1715, OLD STAR
   THEATRE ROAD, KOTTAYAM SOUTH P.O.

3. THE SECRETARY TO GOVERNMENT,
   AGRICULTURE DEPARTMENT, SECRETARIAT,
   THIRUVANANTHAPURAM.

R1 & 2 BY SC SHRI. A.M.SHAFFIQUE
R3 BY GOVT. PLEADER SHRI. BIJOY CHANDRAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 02/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.K.DENESAN, J.

WP(C)No. 2566 OF 2007

Dated this the 2nd March, 2007.

JUDGMENT

The petitioners are Mechanical Assistants in the Oil Palm India Ltd. The reliefs prayed for in this writ petition include issuance of writ of mandamus directing the third respondent-Government to treat the category of 'Mechanical Assistants' as having the first preference for promotion to the post of Plant Operator instead of the category of 'Fitters'. It is submitted that the rule which is pending before the Government suffers from serious illegalities and that the petitioners have approached the third respondent to rectify those mistakes before approval is granted. Ext.P2 representation is thus pending with the third respondent. Counsel submits that this Court may direct the third respondent to look into Ext.P2 before the rules are approved.

2. In the nature of the relief sought for and in the nature of the directions I propose to issue, notice need not be issued to respondents 1 and 2. The third respondent is directed to consider Ext.P2 before approving the rules referred to therein, if not already approved, and to pass orders in accordance with law as expeditiously as possible. Writ petition is disposed of with the above directions.

The petitioners shall produce copy of the judgment and copy of the writ petition before the third respondent for information and compliance.

K.K.DENESAN
Judge

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